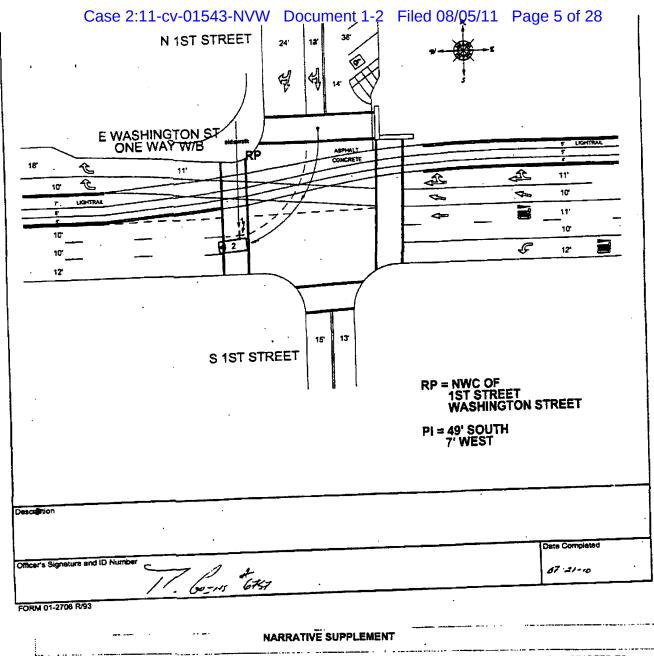
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DESCRIBE WHAT HAP			**	123
ATTACHED SUPPLEM	* ,		•	1 GOING STRAIGHT AVEAD 2 SLOWING IN TRAFFICWAY
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	-		_	11 BACKING
LIGHT CONDITION	21 - SPECIAL LOCATION	24 - MON INTERSECTION ROAD CHARACTER	28 - VIOLATIONS / BEHAVIOR THYO CHOICES PER PERSON MAY SE	12 AYORDING VEHICLE, OBJECT, PEDESTRIAN
CHECK ONLY ONE	CHECK ONLY ONE	CHECK DALY ONE	SELECTED SELECTED	13 ENTERING PARKING POSITION 14 LEAVING PARKING POSITION
DAYLIGHT DAWN OR DUSK	1 SCHOOL CROSSING 2 PEDESTRIAN CROSSWALK	1 72-WAY STRIPED CENTERLINE	1 2 3 1 NO MAPROPER ACTION	15 PROPERLYPARKED 16 SAPROPERLY PARKED
DARWESS		2 2-WAY, NO STRIPE 2 2-WAY, PAINTED MEDIAN	SPEED TOO FAST FOR	17 ORIVERLESS MOVING VEHICLE
NO NO	3 PEDESTRIAN GROSSWALK (NO STRIPING)	4 Z-WAY, RAISED MEDIAN	2 EXCEEDED LAWFUR SPEED	12 CROSSING ROAD 19 WALKING WITH TRAFFIC
STREET, LIGHT	4 BRIDGE 5 TUNNEL	5 2-WAY, CONCRETE BARRIER 8 2-WAY, CABLE BARRIER	FOLLOWED TO CLOSELY	20 WALKING AGAINST TRAFFIC
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	I al Viar Annagania		1 1-1-1-1	
PEATHER CONDITIONS	7 GORE AREA	8 2-WAY, EXTENDED MEDIAN	7 OBREGARGED TRAFFIC SIGNAL MADE IMPROPER TURN	23 GETTING ON OR OFF VEHICLE
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CHECK ONLY ONE	7 GORE AREA 8 SIKE PATH 9 2-WAY LEFT TURN LAME 22 -UNUSUAL ROAD CONDITION	8 2-WAY, EXTENDED MEDIAN	7 DIEREGARGED TRAFFIC SIGNAL B NADE IMPROPER TURN DROVE IN OPPOSING TRAFFIC	23 GETTING ON OR OFF VEHICLE 24 WORKING ON OR PUSHING
CHECK ONLY ONE CLEAR CLOUDY BLEET / HAL	7 GORE AREA 8 BIRE PATH 9 2-WAY LEFT TURN LANE 22 - UNLISTIAL ROAD CONDITION CHECK ORLY ONE	8 2-WAY, EXTENDED MEDIAN 9 1-WAY STREET 25 - ROAD GRADE	7 CHREGARDED TRAFFIC SIGNAL 8 MARDE MARROWER TURN 9 DROVE IN OPPOSING TRAFFIC LAVE 10 INDOMINGLY OPPOSING TRAFFIC EQUIPMENT 11 FACURATED MOTORCYCLE SAFETY 11 FACURATED MOTORCYCLE SAFETY	23 GETTING ON OR OFF VEHICLE 26 WORKING ON OR PUSHING VEHICLE 25 WORKING ON ROAD
CHECK OHLY ONE CLOUDY SLEET / HAIL FRAIN	7 GORE AREA 8 SINC PATH 9 2-WAYLEFT TURN LAME 22 - UNISTIAL ROAD CONDITION CHECK ONLY ONE 1 RANGER CONSTRUCTION, TRAFFIC ALLOWED	8 2.WAY, EXTENDED MEDIAN 9 1.WAY STREET 25 - ROAD GRADS CHECK ONLY ONE	7 CREMEGARDED TRAFFIC SKRAL 8 PARCO MPROPER TURN 9 PROVINGLY OPERATED WITH FALLY OR MISSING 11 PAGGURED MITORCYCLE SAFETY 12 PASSED IN OPERATED SOME 12 PASSED IN OPERATED SOME	23 GETTING ON OR OFF VEHICLE 26 WORKING ON OR PUSHING VEHICLE 25 WORKING ON RGAD 26 GTHER
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CHECK OMEY ONE CLEAR CLOUDY SLEET / HAL. FAM SHOW SEVERE CROSSWINGS BLOWING SAND, SOR, DIRT, SNOW	7 GORE AREA 8 SINC PATH 9 2-WAY LEFT TURN LAME 22 -UMUSULA, ROAD CONDITION OMECK ONLY ONE 1 UNDER CONSTRUCTION, TRAFFIC ALLOWED 2 UNDER CONSTRUCTION, NO TRAFFIC ALLOWED 3 UNDER REPARS 4 NOLES, RUTS, SUMPS 5 IGSSTRUCTION	8 2.WAY, EXTENDED MEDIAN 9 1.WAY STREET 25 - ROAD GRADS GHECK OMLY ONE 1 1.EVEL 2 DOWNGRADE 3 UNGRADE 4 HILLGREST	OTBREGARDED TRAFFIC SKRAL B	25 SETTING ON OR OFF VEHICLE 26 VOIGLING ON OR PLEHING VEHICLE 27 WORKING ON ROAD 28 OTHER 27 URSON OBSCUREMENT CHECK ONE PER UNIT 1 2 3 1 A A CONTROL OR OFF VEHICLE 28 VOICING ON PER UNIT 1 2 3 1 A A CONTROL OR OFF VEHICLE 29 VEHICLE 20 VOICING ON OR OFF VEHICLE 20 VEHICLE 20 VOICING 20 VEHICLE 21 VEHICLE 22 VEHICLE 23 VEHICLE 24 VEHICLE 25 VEHICLE 26 VEHICLE 26 VEHICLE 26 VEHICLE 27 VEHICLE 28 VEHICLE 28 VEHICLE 29 VEHICLE 20 VEHICLE 21 VEHICLE 21 VEHICLE 21 VEHICLE 22 VEHICLE 23 VEHICLE 24 VEHICLE 25 VEHICLE 26 VEHICLE 26 VEHICLE 27 VEHICLE
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- VEH 2 WAS WAITING AT A RED LIGHT FACING SOUTHBOUND ON 1ST STREET. AS THE LIGHT TURNED GREEN, VEH 2 STARTED TO PROCEED FORWARD AND STARTED TO MAKE A RIGHT HAND TURN ONTO WASHINGTON STREET, DRIVER STATED THAT AS HE PROCEEDED FROM THE LIGHT, THAT HE DID NOT SEE ANYONE ATTEMPTING TO CROSS THE SIEWALK.

- VEH 1 WAS TRAVELING SOUTHBOUND ON A BICYCLE, ON THE SIDEWALK, VEH 1 ATTEMPTED TO CROSS THE CROSSWALK ON A WHITE CROSS SIGNAL WHILE STILL RIDING HER BIKE, BUT STRUCK THE BACK PASSENGER SIDE FENDER AREA OF VEH 2. RIDER OF VEH 1 FELL TO THE GROUND AND COMPLAINED OF PAIN. RIDER WAS TRANSPORTED TO LOCAL HOSPITAL FOR PRECAUTION.

- WAITNESS 1. ONE STATED THAT VEH 1 RODE RIGHT OUT ONTO THE CROSSWALK AND STRUCK VEH 2.

Off	ficer's Signature and ID Number	Pate Completed
: 1	17. Cozas #6757	07.21.10
FORM	4 01-2706 R 793	

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4/5/11

To Whom It May Concern:

atu a Donnes

witnessed the accident in question on July 21, 2010. I did not see which vehicle impacted the other vehicle. I saw that there was an impact, but not the initial impact.

Sincerely,

Katie A Downes

August 11, 2010

Ms. Dianne Barker 3219 East Camelback Rd.. # 393 Phoenix, Arizona 85018

RE: 1st Street & Washington and 1st Avenue & Washington

Dear Ms. Barker:

This letter is in response to your request for Traffic Signal Light sequencing at the intersections referenced above. The following information is valid for July 28, 2010 at 12:00 p.m.

The intersection of Washington and 1st Street is controlled by traffic actuated equipment and provides a protected arrow to cross the light rail train tracks for the West direction of travel.

Assuming maximum traffic demand, the following timing would have occurred.

Westbound on Washington: The total green time would be 33.0 seconds.

Westbound and Westbound Crossover on Washington: The total green time would be 27.2 seconds followed by 3.0 seconds of yellow time and 1.8 seconds of all red time.

Northbound and Southbound on 1 st Street: The total green time would be 20.2 seconds followed by 3.0 seconds of yellow time and 1.8 seconds of all red time.

Total cycle time is 90 seconds.

The intersection of Washington and 1st Avenue is controlled by traffic actuated equipment and provides a protected right turn arrow for the South to West direction of travel.

Assuming maximum traffic demand, the following timing would have occurred.

Southbound on 1st Avenue and Southbound Access Lane: The total green time would be 28.2 seconds followed by 3.0 seconds of yellow time and 1.8 seconds of red time (Southbound 1st Avenue remains green at this time).



Structe Stlet This page must be completed and attached to the last page of your motion/request.

	I have filed the ORIGINAL of the attached document(s) on Quity QUTE, 201 1 with the Clerk of the Superior Court of Arizona in Maricopa County.
	I have mailed/delivered a COPY of the attached document(s) on kely Day 201 to Judge
	I have mailed/delivered a COPY of the attached document(s) on Day
Address City, Sta	horny AZ 85003 Klahoma City OK73126903S ate, Zip City, State, Zip
abcv	igning below, I promise that I have filed/mailed the attached document(s) as shown e. I understand that if I do not file/mail the attached document(s) as shown above, the in my case will not read my request/motion.

Deane Barken

	MICHAEL K. JEANES, CLERK BY Ulan FILED
NAME: Dianne Barker	11 JUL 20 PM 3: 43
ADDRESS: 3219 E. Camelback R	
CITY, STATE, ZIP: Phulkix, AZ 850	018
IN THE SUPERIOR COURT OF IN AND FOR THE COUN	
Dianne Barker) }
PLAINTIFF,	CERTIFICATE OF COMPULSORY ARBITRATION
1st Century Insurance Jose Mesa Ramirez Dirmy Mesa Munetor))) >~
The undersigned certifies that the largest a	award sought by the
complainant, including punitive damages, but	excluding interest,
attorneys' fees, and costs does / costs does	xceed limits set by
Local Rule for compulsory arbitration. This ca	ase is / is not
subject to the Uniform Rules of Procedure for	Arbitration.
SUBMITTED this day of	ely , 2011
BY Diakne R	sarker_

Case 2:11-cv-01543-NVW Document 1-2 Filed 08/05/11 Page 10 of 28

Name: Address: City, State, Zip Code: Telephone: In this case I am the:	(602) 949-H	back Rd #39	MICHAEU K. JEANES. CLERKS USE ONLY BY CLERKS USE ONLY BY DEP CLERKS USE ONLY DEP OF THE D 11 JUL 20 PM 3: 48 nt
	SUPERIOR COUR MARICOPA		1
Diane Bar Plaintiff/Petitioner	Ker	CV Case Number:	2011 011978
City of Phoenix, M Matylow Philip gon Defendant/Respondent	pany Of the Southwest	Title: Demo	end for Jung Trial
Petition the PN a tria of rig action	ei Dianne Bo visions of I by jung why jung	ARCP 38 Anall L mi abov	rein, per (b), requests series traile e-entitled
		ated 20th	lay of July 2011
Certifies	Leruice daint	Dian	ne Barker ne BARKER, plaintiff

		-MICHAEL K. JEANES, CLERK BY Ulan FILED
		ERIOR COURT OF ARIZONA
(IN MARICOPA COUNTY FOR CLERK'S USE ONLY
<u> </u>	Dian	ne Bailer Case Number (V2011 011978
Cit Hi	e of Petitic	ORDER REGARDING DEFERRAL OR PHOLOGY, Mayor Gordon et al WAIVER OF COURT FEES AND COSTS AND NOTICE REGARDING CONSENT JUDGMENT Indentition of the Southwest
THE	COU	RT FINDS that the applicant (print name):
1.		IS NOT ELIGIBLE FOR A DEFERRAL of fees and/or costs. OR
2.		IS ELIGIBLE FOR A DEFERRAL of fees and costs based on financial eligibility. As required by state law, the applicant has signed a consent to entry of judgment. OR
3.		IS ELIGIBLE FOR DEFERRAL of fees and/or costs at the court's discretion. (A.R.S. §12-302(L)). OR
4.		IS ELIGIBLE FOR DEFERRAL of fees and costs based on good cause shown. As required by state law, the applicant has signed a consent to entry of judgment.
5 .	1	IS ELIGIBLE FOR WAIVER of fees and costs because the applicant is permanently unable to pay.
6.		IS ELIGIBLE FOR WAIVER of fees and costs at the court's discretion (A.R.S. §12-302).
7.		IS NOT ELIGIBLE FOR WAIVER of fees and costs.
ITI	S ORD	ERED:
1.		DEFERRAL DENIED for the following reason(s): The application is incomplete because

	Case No
	You are encouraged to submit a complete application. The applicant does not meet the financial criteria for deferral because:
2.	A deferral MUST BE granted if the applicant is receiving public assistance benefits or has an income that is insufficient or barely sufficient to meet the daily essentials of life and that includes no allotment that could be budgeted to pay the fees and/or costs necessary to gain access to the court or if the applicant demonstrates other good cause. DEFERRAL GRANTED for the following fees and/or costs in this court: Any or all filing fees; fees for the issuance of a summons and subpoena; fees for obtaining one certified copy of a temporary order in a domestic relations case or a final order, judgment or decree in all civil proceedings. Fees for service of process by a sheriff, marshal, constable or law enforcement agency. Fees for service by publication. Filing fees and photocopy fees for the preparation of the record on appeal. Court reporter or transcriber fees if employed by the court for the preparation of the transcript.
	IF A DEFERRAL IS GRANTED: NO PAYMENTS WILL BE DUE UNTIL FURTHER NOTICE SCHEDULE OF PAYMENTS The applicant shall pay \$ each (week, month, etc.) until paid in full, beginning
3.	WAIVER DENIED for all fees and/or costs of this case.
4.	WAIVER GRANTED for all fees and/or costs of this case that may be waived under A.R.S. §12-392.
	Any or all filing fees; fees for the issuance of a summons and subpoena; fees for obtaining one certified copy of a temporary order in a domestic relations case or a final order, judgment or decree in all civil proceedings. Fees for service of process by a sheriff, marshal, constable or law enforcement agency. Fees for service by publication. Filing fees and photocopy fees for the preparation of the record on appeal. Court reporter or transcriber fees if employed by the court for the preparation of the transcript. Fees for the issuance of a marriage license.
5.	RIGHT TO JUDICIAL REVIEW. If the application is denied or a payment schedule set by a special commissioner, you may request the decision be reviewed by a judicial officer. The request must be made within twenty (20) days of the day the order was mailed or delivered to you. If a schedule of payments has been established, payments shall be suspended until a decision is made after the judicial review. The judicial review shall be held as soon as reasonably possible.
6.	NOTICE REGARDING CONSENT JUDGMENT. Unless any one of the following applies, a consent judgment shall be entered against the applicant for all fees and costs that are deferred and remain unpaid thirty (30) days after entry of final judgment.

Case	No.	
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- Fees and costs are taxed to another party; A.
- The applicant has an established schedule of payments in effect and is current with those B. payments:
- The applicant filed a supplemental application for waiver or further deferral of fees and costs C. and a decision by the court is pending;
- In response to a supplemental application, the court orders that the fees and costs be waived or D. further deferred; or
- Within twenty days of the date the court denies the supplemental application, the applicant E. either:
 - 1. Pays the fees and/or costs; or,
 - Requests a hearing on the court's order denying waiver or further deferral. If the 2. applicant requests a hearing, the court cannot enter the consent judgment unless a hearing is held, further waiver or deferral is denied and payment has not been made within the time prescribed by the court.

If an appeal is taken, a consent judgment for deferred fees and/or costs that remain unpaid in the lower court shall not be entered until thirty (30) days after the appeals process is concluded. The procedures for notice of court fees and/or costs and for entry of a consent judgment continue to apply.

If a consent judgment is signed and the applicant pays the fees and/or costs in full, the court is required to comply with the provisions of A.R.S. 33-964(C).

DUTY TO REPORT CHANGE IN FINANCIAL CIRCUMSTANCES. An applicant who is 7. granted a deferral shall promptly notify the court of the change in financial circumstances during the pendency of the case that would affect the applicant's ability to pay court fees and/or costs. Any time the applicant appears before the court on this case, the court may inquire as to the applicant's financial circumstances.

Judicial Officer or Special Commissioner

Name of Person Filing Do Your Address: Your City, State, and Zip C Your Telephone Number: Attorney Bar Number (if a Representing Self (Wit	pplicable): hout an Attorney) OR ner Respondent	By/ Balker L13ACK Rd #393J My 4286018	FILED FOR CLERKS USE ONLY
•		IRT OF ARIZONA PA COUNTY	
Name of Petitioner/Plaintiff	<u>w</u>	Case Number: <u>CV 201</u>	
City of PHDemy;	mance Contry of	APPLICATION FOR INVESTIGATION FOR INVESTIGATION FOR ITS AND CONSING OF JUDGMENT	DEFERRAL OR FEES AND/OR ENT TO ENTRY
STATE OF ARIZONA) COUNTY OF MARICOPA)	S		
Judgment." By signing costs that are deferred to conclusion of the case you must and what step you must to	eferral or Waiver of Court this Consent, you agree a out remain unpaid thirty (30 ou will receive a Notice of C ake to avoid a judgment ag	RTANT Fees and/or Costs" includes judgment may be entered ag) calendar days after entry ourt Fees and Costs Due indi- jainst you if you are still unable to Entry of Judgment" sec	of final judgment. At the cating how much is owed to pay. Addition details
information in this applic	TO THE COURT UNDER Cation is true and correct. If it is determined that I did	DATH OR AFFIRMATION. I make this statement under to not tell the truth.	swear or affirm that the the penalty of
I am requesting a defe	rral/waiver of the following	ng fees and/or costs in my	case:
subpoena	a, or fees for obtaining one case or a final order, judgr	fees, fees for the issuance of certified copy of a temporan ment or decree in all civil pro- eriff, marshal, constable or lo	y order in a domestic ceedings.
agency (t	fill out separate affidavit for	rm).	
^		out separate affidavit form).	
` 		he preparation of the record	
Court rep	oorter's fees of reporters or on of the transcript.	transcribers employed by th	e court for the
Fees for	the issuance of a marriage	e license.	

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Page 1 of 5

GNF11f Use current form

The ba	sis for t	he request is:
1.	☐ DE	FERRAL:
A .	□lre	ceive governmental assistance from the state/federal program(s) marked below: Temporary Assistance to Needy Families (TANF) Represented by Community Legal Services OR
B.		My income is insufficient or is barely sufficient to meet the daily essentials of life, and includes no allotment that could be budgeted for the fees and costs that are required to gain access to the court.
		 NOTE: To determine whether income is insufficient or barely sufficient, the court will review your income and expenses. Among the factors the court may consider are: Whether your gross income as computed on a monthly basis is 150% or less of the current federal poverty level. Gross monthly income includes your share of community property income if available to you. If your income is greater than 150% of the poverty level, but you have proof of extraordinary expenses (including medical expenses and costs of care for elderly or disabled family members) or other expenses that the court finds are extraordinary that reduce your gross monthly income to at or below 150% of the poverty level.
C.		I do not have the money to pay court filing fees and/or costs now. I can pay the filing fees and/or costs at a later date. Explain.
	•	
2.	隊 v	VAIVER:
A.		I am permanently unable to pay. My income and liquid assets are insufficient or barely sufficient to meet the daily essentials of life and unlikely to change in the foreseeable future.
В.	Ø	I receive government assistance from the federal program Supplemental Security Income (SSI). SSDI

NOTE: Every applicant, regardless of his or her financial circumstances, must complete the Financial Questionnaire that follows. If you submit the Application and Financial Questionnaire in person, you <u>MUST</u> sign it in front of the court clerk; if you submit the form by mail or by a third party, you <u>MUST</u> sign it in front of a notary public. You must submit proof that you receive governmental assistance. If you submit the Application and Financial Questionnaire by mail or by a third party, please attach a copy of your proof of governmental assistance.

FINANCIAL QUESTIONNAIRE

STATEMENT OF INCOME AND EXPENSES:

SUPPORT RESPONSIBILITIES: List all persons you support (including those you pay child support and/or spousal maintenance/support for):

NAME		RELATION	SHIP
Dianne	Barken	Sel	R
		(0
ASSISTANCE: I receive	e assistance from:		
	Arizona Health Care Cost Containment System	(AHCCCS	5)
	Arizona Long Term Care System (ALTCS)		
	Other: (Explain/Describe)		
many AVED NICODA	TION		
EMPLOYER INFORMA	ATION		
Employer Name:			
Employer Address:			
Employed since:		(Month and	d Year you started)
MONTHLY INCOME	INFORMATION		
			•
Monthly Gross Inco	me: (full amount of wages/salary before any deduct	ions) {	\$ 9
Other current month	ly income: (including spousal maintenance/suppo	ort,	
retirement, rental, intere (explain amount and so	sst, pensions, scholarships, grants, royalties, lottery	winnings)	\$
Soual			\$ 766.00
<u> </u>	The court of the c		\$
My spouse's monthly ar	ross income: (if available to me)		\$ 9
• •	MONTHLY INCOME: (Add amounts from these	fines.) \$	766.00

onthly expenses and debts are:		Α		B
		MONTHLY PAYMENTS	LC	DAN BALANC
Rent/Mortgage payment	\$	572.00	\$	
Car Payment	\$	- 0	\$	
Car Payment	\$	Ø	\$	
Credit Card Payments	\$	150.00	\$_	5,500.00
Credit Card Payments	\$	50.00	\$	1,700.
Other Financing Obligations with Monthly Payment	s:			
Describe:	\$		\$	
Describe:	\$		\$	
Describe:	\$		\$	
TOTAL OF LOAN BALANCES	<u> </u>		<u>\$</u>	7,200.
F 101		7 . 40		
Food/Household supplies	\$	2500		
Clothing	\$	15.00		
	\$	15.00		
Clothing	\$ \$ \$	5.0D 60.00 6.00		
Clothing Utilities (Electric, Gas, Water, Telephone)	\$	15.00 60.00 6.00		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses	\$ \$ \$	5.00 60.00 6.00 9		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses Health Insurance	\$ \$ \$ \$ \$	15.00 60.00 6.00 9		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses Health Insurance Car Insurance	\$ \$ \$ \$ \$	15.00 60.00 (6.00 P P		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses Health Insurance Car Insurance Gasoline/Bus Fare	\$ \$ \$ \$ \$	15.00 60.00 (6.00 9 9 0		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses Health Insurance Car Insurance Gasoline/Bus Fare Spousal Maintenance (alimony paid by you)	\$ \$ \$ \$ \$	15.00 60.00 6.00 9 9 0 9		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses Health Insurance Car Insurance Gasoline/Bus Fare Spousal Maintenance (alimony paid by you) Child Support	\$ \$ \$ \$ \$ \$ \$ \$	15.00 60.00 6.00 9 9 0 9		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses Health Insurance Car Insurance Gasoline/Bus Fare Spousal Maintenance (alimony paid by you) Child Support Child Care	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	15.00 60.00 (6.00 9 9 9 9		
Clothing Utilities (Electric, Gas, Water, Telephone) Medical / Dental/ Prescription Expenses Health Insurance Car Insurance Gasoline/Bus Fare Spousal Maintenance (alimony paid by you) Child Support Child Care Nursing care	\$ \$ \$ \$ \$ \$ \$ \$	15.00 60.00 6.00 9 9 0 9		

STATEMENT OF ASSETS: List those assets available to you and accessible without financial penalty.

	EST	MATED VALUE
Cash and Bank Accounts	\$	30.00
Credit Union Accounts	\$	8
Retirement Accounts	\$	Ø
Other, including Stocks & Bonds	\$	Ø
Other	\$	
Equity* in:		
1. Home	\$	$-\varphi$
2. Cars/ Other Vehicles bruche	\$	60,00
3. Other Property used household	\$	400.00
TOTAL ASSETS: (Add)	\$	490.00

^{*} Equity is defined as market value minus any liens or loans.

TOTAL EXTRAORDINARY EXPENSES (Add)

\$ 23,000

Note: If you receive a deferral and have unpaid fees at the end of your case you will receive a Notice of Court Fees and Costs Due. This is to remind you that you may submit a supplemental application for further deferral or waiver if you believe you need more time to pay or cannot afford to pay your court fees and costs. The court will decide at that time whether or not you must pay. If you do not file a supplemental application, the original deferral order remains in effect and a consent judgment may be entered against you if you do not pay within thirty calendar days after entry of final judgment.

If your case is dismissed for any reason, the fees and costs are still due.

CONSENT TO ENTRY OF JUDGMENT: By signing this Application, I agree that a judgment may be entered against me for all fees and/or costs that are deferred but remain unpaid after thirty (30) calendar days after entry of final judgment. Judgment may be entered against me unless any one of the following applies:

- A. Fees and costs are taxed to another party;
- B. I have an established schedule of payments in effect and I am current with those payments;
- C. I file a supplemental application for waiver or further deferral of fees and costs and a decision by the court is pending;
- D. In response to a supplemental application, the court orders that the fees and costs be waived or further deferred; or
- E. Within twenty days of the date the court denies the supplemental application, I either:
 - 1. Pay the fees and/or costs; or,
 - Request a hearing on the court's order denying waiver or further deferral. If I request a
 hearing, the court cannot enter the consent judgment unless a hearing is held, further
 deferral or waiver is denied and payment has not been made within the time prescribed
 by the court.

If you appeal the final decision in your case, a consent judgment for deferred fees and/or costs that remain unpaid in the lower court shall not be entered until after the appeals process is concluded.

OATH OR AFFIRMATION

The contents of this document are true and correct to the best of my knowledge and belief.

7-20/1/ Date

Signature

Printed Name

Date Signed or Affirmed

Judicial Officer, Deputy Clerk or Notary Public

My Commision Expires/Seal:

24

1	OFFICE OF THE CITY ATTORNEY		
2	GARY VERBURG, City Attorney State Bar No. 005515 200 West Washington, Suite 1300 Phoenix, Arizona 85003-1611		
3			
4	Telephone (602) 262-6761 law.civil.minute.entries@phoenix.gov		
5	Christina E. Koehn, # 013037		
6	Assistant City Attorney Attorney for Defendant CITY OF PHOENIX		
7	IN THE SUPERIOR COURT OF THE STATE OF ARIZONA		
8	IN AND FOR THE COUNTY OF MARICOPA		
9	DIANNE BARKER,	NO. CV2011-011978	
10	Plaintiff,	NOTICE OF FILING NOTICE OF	
11	vs.	REMOVAL	
12 13	CITY OF PHOENIX, MUNICIPAL CORPORATION; MAYOR PHILIP GORDON; 21ST CENTURY INS. OF S	(Assigned to the Honorable Eileen Willett)	
14	WEST; JOSE MESA RAMIREZ; AND JIMMY MESA MUNETON, et al.,		
15	Defendants.		
16	Defendant City of Phoenix, ("Phoenix") by and through undersigned counsel, and		
17	pursuant to 28 U.S.C. § 1441 et seq., hereby notifies this Court that it has filed a Notice		
18	of Removal of this action in the United States District Court for the District of Arizona.		
19			
20	A copy of the Notice of Removal filed August 5, 2011, is attached hereto as Exhibit "1."		
21			
22			
23			

24

	1	RESPECTFULLY SUBMITTED this 5th day of August, 2011.
	2	GARY VERBURG, City Attorney
	3	
	4	By <u>/s/Christina E. Koehn</u> Christina E. Koehn
	5	Assistant City Attorney 200 West Washington, Suite 1300
	6	Phoenix, Arizona 85003-1611 Attorneys for Defendant City of Phoenix
	7	
	8	ORIGINAL of the foregoing e-filed with the court and a copy delivered electronically this 5th day of August, 2011, to:
	10	The Honorable Eileen Willett Judge of the Superior Court
	11 12	COPY of the foregoing mailed this 5th day of August, 2011, to:
,	13 14	Dianne Barker 3219 East Camelback Road, #393 Phoenix, AZ 85018 Plaintiff Pro Per
	15	
	16	By /s/A. Valenzuela CEK:AV#925647_1.DOC
	17	CBR.AV#92504/_1.DOC
	18	
	19	
	20	
	21	
	22	

Case 2:11-cv-01543-NVW Document 1-2 Filed 08/05/11 Page 23 of 28 CIVIL COVER SHEET SJS 44 (Rev. 12/07) The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) **DEFENDANTS** I. (a) PLAINTIFFS City of Phoenix; Mayor Philip Gordon; 21st Century Ins of S Barker, Dianne West; Jose Mesa Ramirez and Jimmy Mesa Muneton Maricopa County of Residence of First Listed Defendant (b) County of Residence of First Listed Plaintiff Maricopa (IN U.S. PLAINTIFF CASES ONLY) (EXCEPT IN U.S. PLAINTIFF CASES) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorneys (If Known) (c) Attorney's (Firm Name, Address, and Telephone Number) Christina E. Koehn, Bar #013037 Dianne Barker, Pro Per Office of the City Attorney 3219 E. Camelback Road, #393 III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff II. BASIS OF JURISDICTION (Place an "X" in One Box Only) and One Box for Defendant) (For Diversity Cases Only) DEE ★ 3 Federal Question □ 1 U.S. Government Incorporated or Principal Place 4 **1 O** 1 Citizen of This State (U.S. Government Not a Party) Plaintiff of Business In This State Incorporated and Principal Place **5** D 5 D 2 □ 2 Citizen of Another State 7 4 Diversity ☐ 2 U.S. Government of Business In Another State Defendant (Indicate Citizenship of Parties in Item III) D 6
D 6 □ 3 □ 3 Foreign Nation Citizen or Subject of a Foreign Country IV. NATURE OF SUIT (Place an "X" in One Box Only) FORFEITURE/PENALTY BANKRUPTCY OTHER STATUTES CONTRACT ☐ 400 State Reapportionment 422 Appeal 28 USC 158 PERSONAL INJURY ☐ 610 Agriculture PERSONAL INJURY □ 110 Insurance 410 Antitrust ☐ 423 Withdrawal ☐ 620 Other Food & Drug 362 Personal Injury -310 Airplane □ 120 Marine 430 Banks and Banking 28 USC 157 625 Drug Related Seizure Med. Malpractice σ 315 Airplane Product ☐ 130 Miller Act 450 Commerce of Property 21 USC 881 365 Personal Injury -140 Negotiable Instrument Liability **PROPERTY RIGHTS 460 Deportation Classification (1998) 630 Liquor Laws 320 Assault, Libel & Product Liability o ☐ 150 Recovery of Overpayment 470 Racketeer Influenced and ☐ 640 R.R. & Truck ☐ 820 Copyrights 368 Asbestos Personal & Enforcement of Judgmen Slander Corrupt Organizations ☐ 830 Patent 650 Airline Regs. Injury Product 330 Federal Employers' □ 151 Medicare Act 480 Consumer Credit ☐ 840 Trademark 660 Occupational Liability ☐ 152 Recovery of Defaulted Liability 490 Cable/Sat TV o PERSONAL PROPERTY Safety/Health 340 Marine Student Loans 810 Selective Service ☐ 690 Other 370 Other Fraud 345 Marine Product (Excl. Veterans) LABOR SOCIAL SECURITY 850 Securities/Commodities/ 371 Truth in Lending Liability ☐ 153 Recovery of Overpayment Exchange 710 Fair Labor Standards ☐ 861 HIA (1395ff) 380 Other Personal 350 Motor Vehicle of Veteran's Benefits 875 Customer Challenge ☐ 862 Black Lung (923) Property Damage Act 355 Motor Vehicle 160 Stockholders' Suits 12 USC 3410 ☐ 863 DIWC/DIWW (405(g)) 720 Labor/Mgmt. Relations 385 Property Damage Product Liability ☐ 190 Other Contract 890 Other Statutory Actions ☐ 864 SSID Title XVI Product Liability ☐ 730 Labor/Mgmt.Reporting ☐ 195 Contract Product Liability 360 Other Personal 3 865 RSI (405(g)) 891 Agricultural Acts & Disclosure Act Injury ☐ 196 Franchise FEDERAL TAX SUITS 892 Economic Stabilization Act 740 Railway Labor Act PRISONER PETITIONS CIVIL RIGHTS REAL PROPERTY 893 Environmental Matters 3 870 Taxes (U.S. Plaintiff 790 Other Labor Litigation 510 Motions to Vacate ☐ 210 Land Condemnation 441 Voting 894 Energy Allocation Act or Defendant) 791 Empl. Ret. Inc. Sentence 442 Employment ☐ 220 Foreclosure 895 Freedom of Information ☐ 871 IRS—Third Party Security Act 443 Housing/ Habeas Corpus: ☐ 230 Rent Lease & Ejectment Act 26 USC 7609 530 General Accommodations 900Appeal of Fee Determination ☐ 240 Torts to Land IMMIGRATION ... 535 Death Penalty ☐ 245 Tort Product Liability 444 Welfare Under Equal Access 540 Mandamus & Other 462 Naturalization Application 445 Amer. w/Disabilities -290 All Other Real Property to Justice 550 Civil Rights 463 Habeas Corpus -Employment 950 Constitutionality of Alien Detainee 555 Prison Condition 446 Amer. w/Disabilities -State Statutes 465 Other Immigration Other Actions 440 Other Civil Rights Appeal to District V. ORIGIN (Place an "X" in One Box Only) Transferred from Judge from ☐ 6 Multidistrict **7** ☐ 4 Reinstated or ☐ 5 2 Removed from Remanded from Magistrate □ 3 another district ☐ 1 Original Litigation Reopened Appellate Court Judgment State Court (specify) Proceeding Cite the U.S. Civil Statute under which you are filing. **Do not cite jurisdictional statutes unless diversit**y): 42 U.S.C. 1983, ADA 1990, Renab. Act 1973 Civil Rights Law VI. CAUSE OF ACTION

Brief description of cause:
Violation of civil rights ("unequal protection," U.S. Constitution, First Amendment Free Speech)

VII. REQUESTED IN

CHECK IF THIS IS A CLASS ACTION

DEMAND \$

CHECK YES only if demanded in complaint:

COMPLAINT:

UNDER F.R.C.P. 23

JUDGE

JURY DEMAND:

VIII. RELATED CASE(S) IF ANY

(See instructions):

DOCKET NUMBER

08/05/2011

RECEIPT #

DATE

SIGNATURE OF ATTORNEY OF RECORD

/s/Christina E. Koehn

FOR OFFICE USE ONLY

APPLYING IFP AMOUNT

JUDGE

MAG. JUDGE

SUPPLEMENTAL CIVIL COVER SHEET FOR CASES REMOVED FROM ANOTHER JURISDICTION

This form must be attached to the Civil Cover Sheet at the time the case is filed in the United States District Clerk's Office.

Additional sheets may be used as necessary.

1. Style of the Case:

Please include all Plaintiff(s), Defendant(s), Intervenor(s), Counterclaimant(s), Crossclaimant(s) and Third Party Claimant(s) still remaining in the case and indicate their party type. Also, please list the attorney(s) of record for each party named and include their bar number, firm name, correct mailing address, and phone number (including area code).

<u>Party</u> Dianne Barker	<u>Party Type</u> Plaintiff	Attorney(s) Pro Per
City of Phoenix	Defendant	Christina E. Koehn, #013037
_		Office of the City Attorney
		200 W. Washington St. #1300,
Cont. see attachment. 2. Jury Demand:		Phoenix, AZ 85003
		(602) 262-6761

Was a Jury Demand made in another jurisdiction?

Yes

No

X

If "Yes," by which party and on what date?

Plaintiff 7/20/2011

3. Answer:

Was an Answer made in another jurisdiction?

Yes No
X

If "yes," by which party and on what date?

4. Served Parties:

The following parties have been served at the time this case was removed:

Party Date Served Method of Service
Defendant City of Phoenix July 20, 2011 Delivered to City Clerk

SUPPLEMENTAL CIVIL COVER SHEET FOR CASES REMOVED FROM ANOTHER JURISDICTION

(CONTINUED)

1. Style of the Case (Continued):

<u>Party</u>	Party Type	Attorney(s)
Mayor Philip Gordon	Defendant	(Has not been served)
21 st Century Ins of S West	Defendant	Unknown
Jose Mesa Ramirez	Defendant	Unknown
Jimmy Mesa Muneton	Defendant	Unknown

5. Unserved Parties:

The following parties have not been served at the time this case was removed:

<u>Party</u>	Reason Not Served
21st Century Ins of S West	unknown
Jose Mesa Ramirez	Unknown
Jimmy Mesa Muneton	Unknown
Mayor Philip Gordon	Unknown

6. Nonsuited, Dismissed or Terminated Parties:

Please indicate changes from the style of the papers from another jurisdiction and the reason for the change:

<u>Party</u> <u>Reason for Change</u>

7. Claims of the Parties:

The filing party submits the following summary of the remaining claims of each party in this litigation:

<u>Party</u>	Claim(s)
Plaintiff	Violation of civil rights ("unequal protection," First
	Amendment Free Speech, "ADA 1990, Rehab Act 1973
	Civil rights laws," and 42 USC 1983). Additionally,
	Plaintiff asserted state law claims: false reporting
	intentional tort, Arizona Constitution, Arizona
	Revised Statutes Title 28 and seeks monetary
	compensation and injunctive relief for police
	training.

Pursuant to 28 USC § 1446(a) a copy of all process, pleadings, and orders served in another jurisdiction (State Court) shall be filed with this removal.